Subject: : Heritage - Events and Publications - Nov. 25
From: "Thomas, Ginni" <ginni.thomas@heritage.org> ("Thomas, Ginni" <ginni.thomas@heritage.org> [UNKNOWN])
Date: 11/25/02, 3:14 PM
To: Government Relations <GovernmentRelations@heritage.org> (Government Relations <GovernmentRelations@heritage.org> [UNKNOWN])
BCC: Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO])

Begin Original ARMS Header
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)
CREATOR:"Thomas, Ginni" <ginni.thomas@heritage.org> ("Thomas, Ginni" <ginni.thomas@heritage.org> [UNKNOWN])
CREATION DATE/TIME:25-NOV-2002 15:14:19.00
SUBJECT:: Heritage - Events and Publications - Nov. 25
TO:Government Relations <GovernmentRelations@heritage.org> (Government Relations <GovernmentRelations@heritage.org> [UNKNOWN])
READ:UNKNOWN
BCC:Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO])
READ:UNKNOWN
End Original ARMS Header

At 9 pm tonight on the History Channel, there is a documentary on Reagan's legacy. Please note below the new Family database we have launched, as well as the Index for Economic Freedom on line. Happy Thanksgiving.
Ginni

Recent Publications:

Foreign/Defense Policy:

No Orwellian Scheme Behind DARPA's Total Information Awareness System by Mike Scardaville
http://www.heritage.org/Research/HomelandDefense/wm175.cfm

TIA Targets Terrorists, Not Privacy by Mike Scardaville
http://www.heritage.org/Press/Commentary/ED112202.cfm

A New Agenda for U.S.-Brazilian Relations by Steve Johnson
http://www.heritage.org/Research/LatinAmerica/em841.cfm

2003 Index of Economic Freedom, a practical reference guide to the world's economies
http://www.heritage.org/research/features/index/
http://www.heritage.org/Research/TradeandForeignAid/wm174.cfm

Domestic Policy:

Making the Tax Cuts Permanent and Fully Effective Now by Lawrence Whitman
http://www.heritage.org/Research/Taxes/BG1614.cfm

Expanding Competition for Federal Grants by Chris Yablonski
http://www.heritage.org/Research/GovernmentReform/BG1615.cfm

Answering the Top 10 Myths About Social Security Reform by David John
http://www.heritage.org/Research/SocialSecurity/bg1613.cfm

Good Riddance, Rossotti by Dan Mitchell
http://www.heritage.org/Press/Commentary/ED112002.cfm

NEW! - The Heritage Foundation's Family & Society Database
The Database catalogs social science findings on the family gleaned from peer-reviewed journals, books, and government surveys. Currently containing nearly 1,100 empirical findings drawn from the past 15 years, the Database highlights what the social sciences reveal about the family. The Database explores relationships between the family and civil society, good government, and a vibrant economy. Users can search the Database by keywords and author.
http://www.heritage.org/research/features/familydatabase/

NEW! - Request a Briefing from The Heritage Foundation
Heritage has developed a special service for government officials who would like more information on specific policy topics from Heritage analysts. Request more information using the link below and our government relations staff will work with you to customize a briefing if possible or invite you to an upcoming briefing on an issue of interest. Choose from 30 domestic, defense, and foreign policy topics.
http://www.heritage.org/research/RequestBriefing.cfm

The October Insider is now online. Read the latest monthly compilation of publication abstracts, events, and news at
http://www.heritage.org/about/community/insider

Upcoming Events:
For event details and RSVP, link to:
http://www.heritage.org/Press/Events/index.cfm

The Battle for Education Reform Continues: What Are The Next Battles And Where Will They Be Fought?
Featuring: Dick DeVos, Chairman, Education Freedom Fund of Michigan and former member of the Michigan State Board of Education;
and Ed Feulner, The Heritage Foundation
Tuesday, December 3, 11 a.m. - 12:30 p.m.

The Last Jihad
Featuring: author Joel Rosenberg and Bridgett Wagner, The Heritage Foundation
Wednesday, December 4, 5:30 p.m.

Using 21st Century Information Technology as a Homeland Security Force Multiplier
Thursday, December 5, 11 a.m.
Please check www.heritage.org as this event is developed.

Virginia (Ginni) Thomas, Director
Executive Branch Relations
The Heritage Foundation
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Washington, D.C. 20002
(202) 608-6240 and (202) 608-6068 (fax)
ginni.thomas@heritage.org

www.heritage.org

Subject: : Heritage - recent publications and upcoming events - Feb. 4
From: "Thomas, Ginni" <ginni.thomas@heritage.org> ("Thomas, Ginni" <ginni.thomas@heritage.org> [UNKNOWN])
Date: 2/4/03, 12:32 PM
To: Government Relations <GovernmentRelations@heritage.org> (Government Relations <GovernmentRelations@heritage.org> [UNKNOWN])
BCC: Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO])

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RECORD TYPE: PRESIDENTIAL  (NOTES MAIL)
CREATOR:"Thomas, Ginni" <ginni.thomas@heritage.org> ( "Thomas, Ginni"
<ginni.thomas@heritage.org> [ UNKNOWN ] )
CREATION DATE/TIME: 4-FEB-2003 12:32:17.00
SUBJECT:: Heritage - recent publications and upcoming events - Feb. 4
TO:Government Relations <GovernmentRelations@heritage.org> ( Government Relations
<GovernmentRelations@heritage.org> [ UNKNOWN ] )
READ:UNKNOWN
BCC:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )
READ:UNKNOWN
###### End Original ARMS Header   ######

Lots of new papers.  Cheers, Ginni

Recent Publications:
Domestic Policy:

2003 Economic Growth Briefing Room
The Heritage Foundation's economic team has established this "Briefing
Room" to present timely and accurate research on the tax debate.  This
page features daily updates with talking points, charts, related
commentary and resources.
http://www.heritage.org/research/taxes/taxbriefingroom.cfm

Disclosure Benefits Business and Labor by Ed Meese
http://www.washtimes.com/commentary/20030128-99672131.htm

State of the Union Reaction by Michael Franc
http://www.heritage.org/Research/PoliticalPhilosophy/wm198.cfm

Off the Rails by Ron Utt
http://www.heritage.org/Press/Commentary/ed013103a.cfm

Principles for Safeguarding Civil Liberties in an Age of Terrorism by Paul
Rosenzweig
http://www.heritage.org/Research/HomelandDefense/em854.cfm

Congress Should not Prematurely Short-Circuit the Total Information
Awareness Program by Paul Rosenzweig
http://www.heritage.org/Research/HomelandDefense/em853.cfm

Code Blue: A State-by-State Assessment of America's Deepening Medical
Malpractice Crisis by Derek Hunter
http://www.heritage.org/Research/HealthCare/wm194.cfm

State-by-State Breakdown of President Bush's Growth Package: Benefits for
Married Couples and Families with Children by The Heritage Foundation
```

http://www.heritage.org/Research/Taxes/WM199.cfm

The Growth Factor: Scoring Bush's Proposal In Reality by Alfredo Goyburu and Andrew Olivastro
http://www.heritage.org/Research/Taxes/wm195.cfm

Three Ways to Make President Bush's Tax Plan Even Better by Lawrence H. Whitman http://www.heritage.org/Research/Taxes/em856.cfm

The Economic and Fiscal Effects of Ending the Federal Double Taxation of Dividends by Norbert Michel, Alfredo Goyburu, and Ralph Rector
http://www.heritage.org/Research/Taxes/CDA_workingpaper.cfm

Tax Reform Benefits Everyone by Norbert Michel
http://www.heritage.org/Press/Commentary/Ed013003c.cfm

Payback for the Rich? by Rebecca Hagelin
http://www.heritage.org/Press/Commentary/ed012903.cfm

Fact v. Fiction: Tax Rebates by Norbert Michel
http://www.heritage.org/Research/Taxes/wm192.cfm

Fact v. Fiction: Temporary Tax Cuts by Norbert Michel
http://www.heritage.org/Research/Taxes/wm193.cfm

Reforming Social Security: A Change in the Climate of Opinion by William Shipman
http://www.heritage.org/Research/SocialSecurity/hl776.cfm

The FCC's Local Competition Report: Surprise! by James Gattuso
http://www.heritage.org/Press/Commentary/ed013103d.cfm

The Role of Parental Work in Child Poverty by Robert Rector and Rea Hederman
http://www.heritage.org/Research/Family/cda-03-01.cfm

Foreign/Defense Policy:

Disarming Iraq & More: State of the Union Response by Helle Dale
http://www.heritage.org/Research/MiddleEast/wm197.cfm

The Real Smoking Gun by Dexter Ingram
http://www.heritage.org/Press/Commentary/ed020303.cfm

Why Britain will fight in Iraq by John Hulsman and Nile Gardiner
http://www.heritage.org/Press/Commentary/ed020303a.cfm

New Europe Proves Rumsfeld Right Over Iraq by John Hulsman
http://www.heritage.org/Research/Europe/wm200.cfm

Putting the EU in Its Place: Why Filing a GMO Case with the WTO Is Crucial by Sara Fitzgerald
http://www.heritage.org/Research/Europe/em855.cfm

The Prince of Peace Was a Warrior, Too by Joe Loconte
http://www.heritage.org/Press/Commentary/ed013003.cfm

Securing the Homeland Begins at Home by Michael Scardaville
http://www.heritage.org/Research/HomelandDefense/em852.cfm

Taiwan Must Get Serious About Defense by John Tkacik
http://www.heritage.org/Press/Commentary/ed013103b.cfm

The Challenges and Imperatives in Taiwan's Defense by Peter Brookes
http://www.heritage.org/Research/AsiaandthePacific/hl775.cfm

'Evil Axis' Label Fits by Jim Phillips
http://www.heritage.org/Press/Commentary/ED013003b.cfm

Why the USA is OK in the ROK by Larry Wortzel
http://www.heritage.org/Press/Commentary/ED013003d.cfm

Other:

Agenda 2003: Shaping America's Future
The issues facing the 108th Congress, from homeland security to health care to tax reform, present lawmakers with the opportunity to improve all Americans' security and prosperity. Accomplishing this goal requires the innovative policy solutions provided in Agenda 2003 - The Heritage Foundation's public policy playbook. To request a copy of Agenda 2003 or to view excerpts, call 1-800-544-4843 or
http://www.heritage.org/research/features/agenda.cfm

Policy Experts 2003
The essential "who's who" guide to the world of public policy experts and organizations can be ordered by contacting the Heritage Foundation's Publications Department at 1-800-544-4843, by mail at, 214 Massachusetts Avenue NE, Washington, DC 20002, or order online at www.policyexperts.org.

The Heritage Foundation's 2003 Calendar is still available. If you haven't received a copy please request one by e-mailing us or calling 1-800-546-2843.

Upcoming Events:
For event details and RSVP, link to :
http://www.heritage.org/Press/Events/index.cfm

Security Challenges on the Korean Peninsula
Featuring: Dr. Seok Hyun HONG, Publisher, Chairman and CEO,Joong-Ang Ilbo; Dr. Larry Wortzel, The Heritage Foundation
Tuesday, February 11th 11:00 a.m. - 12:30 p.m.

First Among Equals: The Supreme Court in American Life
Featuring: Ken Starr, author; and Edwin Meese, The Heritage Foundation
Thursday, February 13th 12:00 noon - 1:00 p.m.

Virginia (Ginni) Thomas, Director
Executive Branch Relations
The Heritage Foundation
214 Mass. Ave., NE
Washington, D.C. 20002
(202) 608-6240 and (202) 608-6068 (fax)

ginni.thomas@heritage.org
www.heritage.org

Subject: : Heritage recent publications and upcoming events - 2/11/03
From: "Thomas, Ginni" <ginni.thomas@heritage.org> ("Thomas, Ginni" <ginni.thomas@heritage.org> [UNKNOWN])
Date: 2/11/03, 3:32 PM
To: Government Relations <GovernmentRelations@heritage.org> (Government Relations <GovernmentRelations@heritage.org> [UNKNOWN])
BCC: Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO])

Begin Original ARMS Header
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)
CREATOR:"Thomas, Ginni" <ginni.thomas@heritage.org> ("Thomas, Ginni" <ginni.thomas@heritage.org> [UNKNOWN])
CREATION DATE/TIME:11-FEB-2003 15:32:22.00
SUBJECT:: Heritage recent publications and upcoming events - 2/11/03
TO:Government Relations <GovernmentRelations@heritage.org> (Government Relations <GovernmentRelations@heritage.org> [UNKNOWN])
READ:UNKNOWN
BCC:Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP [WHO])
READ:UNKNOWN
End Original ARMS Header

Hope some of these new items are of interest/assistance. Please note that we do have a Black History Month speakers list you are welcome to request, as many offices are inviting outside speakers in. Thanks, Ginni

Recent Publications:

Domestic Policy:

Reality Check: Tax Relief and Economic Growth Breifing Room
The Heritage Foundation's economics team has established this "Briefing Room" to present timely and accurate research on the tax debate.
http://www.heritage.org/research/taxes/taxbriefingroom.cfm

President Bush's 2004 Budget Proposal: A Summary by Brian Riedl
http://www.heritage.org/Research/Budget/wm202.cfm

President Bush's Tax Plan Would Improve the Ability to Deal with Future Social Security Deficits by David John
http://www.heritage.org/Research/SocialSecurity/em858.cfm

What The GAO Says About The Best Model For Medicare Reform by Bob Moffit
http://www.heritage.org/Research/HealthCare/WM204.cfm

The Continuing Good News About Welfare Reform by Robert Rector and Patrick Fagan
http://www.heritage.org/Research/Welfare/bg1620.cfm

The Other Welfare Reform by Brian Riedl
http://www.heritage.org/Press/Commentary/ed020403.cfm

The Need to Protect Civil Liberties While Combating Terrorism: Legal Principles and the Total Information Awareness Program by Paul Rosenzweig and Michael Scardaville
http://www.heritage.org/Research/HomelandDefense/lm6.cfm

How To Run A Railroad (Or At Least Amtrak) by Ron Utt
http://www.heritage.org/Press/Commentary/ed020403a.cfm

Local Telephone Competition: Unbundling the FCC's Rules by James Gattuso
http://www.heritage.org/Research/Regulation/bg1621.cfm

Fact v. Fiction: State Spending by Norbert Michel
http://www.heritage.org/Research/Budget/wm201.cfm

The Case Against a Federal Bailout of the States by Brian Riedl
http://www.heritage.org/Research/Budget/em857.cfm

Aiming for the Stars by Rebecca Hagelin
http://www.heritage.org/Press/Commentary/ed020503.cfm

Foreign/Defense Policy:

Powell's U.N. Speech: A Powerful Indictment of Iraq by James Phillips
http://www.heritage.org/Research/MiddleEast/wm203.cfm

New Priorities for U.S.-Ecuadoran Relations by Stephen Johnson
http://www.heritage.org/Research/LatinAmerica/wm205.cfm

European Arrogance and Weakness Dictate Coalitions of the Willing by John Hulsman
http://www.heritage.org/Research/Europe/hl777.cfm

Other:

The January 2003 Insider is now online. Read the latest monthly compilation of publication abstracts, events, and news at
http:www.heritage.org/about/community/insider/

Agenda 2003: Shaping America's Future
The issues facing the 108th Congress, from homeland security to health care to tax reform, present lawmakers with the opportunity to improve all Americans' security and prosperity. Accomplishing this goal requires the innovative policy solutions provided in Agenda 2003 - The Heritage Foundation's public policy playbook. To request a copy of Agenda 2003 or to view excerpts, call 1-800-544-4843 or
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Upcoming Events:
For event details and RSVP, link to :
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First Among Equals: The Supreme Court in American Life
Featuring: Ken Starr, author; and Edwin Meese, The Heriage Foundation
Thursday, February 13th, 12:00 noon – 1:00 p.m.

We also expect to host an event for Administration, House and Senate staff on the President's Growth package on February 27 – either breakfast or lunch; stay tuned.

Virginia (Ginni) Thomas, Director
Executive Branch Relations
The Heritage Foundation
214 Mass. Ave., NE
Washington, D.C. 20002
(202) 608-6240 and (202) 608-6068 (fax)
ginni.thomas@heritage.org
www.heritage.org

Subject: : Re: Total Information Awareness report
From: H. Bryan Cunningham (CN=H. Bryan Cunningham/OU=NSC/O=EOP [NSC])
Date: 5/14/03, 1:25 PM
To: Jennifer G. Newstead (CN=Jennifer G. Newstead/OU=WHO/O=EOP@EOP [WHO])
CC: david g. leitch (CN=david g. leitch/OU=who/O=eop@exchange@eop [WHO]), jennifer r. brosnahan (CN=jennifer r. brosnahan/OU=who/O=eop@eop [WHO]), theodore w. ullyot (CN=theodore w. ullyot/OU=who/O=eop@eop [WHO]), h. christopher bartolomucci (CN=h. christopher bartolomucci/OU=who/O=eop@eop [WHO]), kyle sampson (CN=kyle sampson/OU=who/O=eop@eop [WHO]), benjamin a. powell (CN=benjamin a. powell/OU=who/O=eop@eop [WHO]), noel j. francisco (CN=noel j. francisco/OU=who /O=eop@eop [WHO]), brett m. kavanaugh (CN=brett m. kavanaugh/OU=who /O=eop@eop [WHO])

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###### Begin Original ARMS Header ######
RECORD TYPE: FEDERAL  (NOTES MAIL)
CREATOR:H. Bryan Cunningham ( CN=H. Bryan Cunningham/OU=NSC/O=EOP [ NSC ] )
CREATION DATE/TIME:14-MAY-2003 13:25:54.00
SUBJECT:: Re: Total Information Awareness report
TO:Jennifer G. Newstead ( CN=Jennifer G. Newstead/OU=WHO/O=EOP@EOP [ WHO ] )
READ:UNKNOWN
CC:david g. leitch ( CN=david g. leitch/OU=who/O=eop@exchange@eop [ WHO ] )
READ:UNKNOWN
CC:jennifer r. brosnahan ( CN=jennifer r. brosnahan/OU=who/O=eop@eop [ WHO ] )
READ:UNKNOWN
CC:theodore w. ullyot ( CN=theodore w. ullyot/OU=who/O=eop@eop [ WHO ] )
READ:UNKNOWN
CC:h. christopher bartolomucci ( CN=h. christopher bartolomucci/OU=who/O=eop@eop [ WHO ] )
READ:UNKNOWN
CC:kyle sampson ( CN=kyle sampson/OU=who/O=eop@eop [ WHO ] )
READ:UNKNOWN
CC:benjamin a. powell ( CN=benjamin a. powell/OU=who/O=eop@eop [ WHO ] )
READ:UNKNOWN
CC:noel j. francisco ( CN=noel j. francisco/OU=who/O=eop@eop [ WHO ] )
READ:UNKNOWN
CC:brett m. kavanaugh ( CN=brett m. kavanaugh/OU=who/O=eop@eop [ WHO ] )
READ:UNKNOWN
###### End Original ARMS Header   ######

We've not been told anything about this in NSC, as near as I can tell.
```

```
Jennifer G. Newstead
05/14/2003 01:23:05 PM
Record Type:    Record

To:     See the distribution list at the bottom of this message
cc:     David G. Leitch/WHO/EOP@Exchange@EOP
Subject:        Total Information Awareness report

Is anyone working on the above subject -- DOJ called about a report they
are preparing for transmittal (I believe to the Hill) on a report which is
```

a joint DOJ-DOD-CIA project.

Thanks

Message Sent
To:_____
Brett M. Kavanaugh/WHO/EOP@EOP
H. Christopher Bartolomucci/WHO/EOP@EOP
Noel J. Francisco/WHO/EOP@EOP
Theodore W. Ullyot/WHO/EOP@EOP
Benjamin A. Powell/WHO/EOP@EOP
Jennifer R. Brosnahan/WHO/EOP@EOP
Kyle Sampson/WHO/EOP@EOP
H. Bryan Cunningham/NSC/EOP@EOP

Subject: : Total Information Awareness report
From: Jennifer G. Newstead (CN=Jennifer G. Newstead/OU=WHO/O=EOP [WHO])
Date: 5/14/03, 1:23 PM
To: H. Bryan Cunningham (CN=H. Bryan Cunningham/OU=NSC/O=EOP@EOP [NSC]), Jennifer R. Brosnahan (CN=Jennifer R. Brosnahan/OU=WHO/O=EOP@EOP [WHO]), Theodore W. Ullyot (CN=Theodore W. Ullyot/OU=WHO/O=EOP@EOP [WHO]), H. Christopher Bartolomucci (CN=H. Christopher Bartolomucci/OU=WHO/O=EOP@EOP [WHO]), Kyle Sampson (CN=Kyle Sampson/OU=WHO/O=EOP@EOP [WHO]), Benjamin A. Powell (CN=Benjamin A. Powell/OU=WHO/O=EOP@EOP [WHO]), Noel J. Francisco (CN=Noel J. Francisco/OU=WHO/O=EOP@EOP [WHO]), Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])
CC: David G. Leitch (CN=David G. Leitch/OU=WHO/O=EOP@Exchange@EOP [WHO])

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###### Begin Original ARMS Header ######
RECORD TYPE: FEDERAL  (NOTES MAIL)
CREATOR:Jennifer G. Newstead ( CN=Jennifer G. Newstead/OU=WHO/O=EOP [ WHO ] )
CREATION DATE/TIME:14-MAY-2003 13:23:39.00
SUBJECT:: Total Information Awareness report
TO:H. Bryan Cunningham ( CN=H. Bryan Cunningham/OU=NSC/O=EOP@EOP [ NSC ] )
READ:UNKNOWN
TO:Jennifer R. Brosnahan ( CN=Jennifer R. Brosnahan/OU=WHO/O=EOP@EOP [ WHO ] )
READ:UNKNOWN
TO:Theodore W. Ullyot ( CN=Theodore W. Ullyot/OU=WHO/O=EOP@EOP [ WHO ] )
READ:UNKNOWN
TO:H. Christopher Bartolomucci ( CN=H. Christopher Bartolomucci/OU=WHO/O=EOP@EOP [ WHO ] )
READ:UNKNOWN
TO:Kyle Sampson ( CN=Kyle Sampson/OU=WHO/O=EOP@EOP [ WHO ] )
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TO:Benjamin A. Powell ( CN=Benjamin A. Powell/OU=WHO/O=EOP@EOP [ WHO ] )
READ:UNKNOWN
TO:Noel J. Francisco ( CN=Noel J. Francisco/OU=WHO/O=EOP@EOP [ WHO ] )
READ:UNKNOWN
TO:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [ WHO ] )
READ:UNKNOWN
CC:David G. Leitch ( CN=David G. Leitch/OU=WHO/O=EOP@Exchange@EOP [ WHO ] )
READ:UNKNOWN
###### End Original ARMS Header   ######

Is anyone working on the above subject -- DOJ called about a report they
are preparing for transmittal (I believe to the Hill) on a report which is
a joint DOJ-DOD-CIA project.

Thanks
```

Subject: INVITATION: The War on the Bill of Rights and The Gathering Resistance, September 26, 12:00 pm
From: "Cato Institute" <kbrand@cato.org>
Date: 9/23/03, 4:43 PM
To: "Kavanaugh, Brett M."

The Cato Institute invites you to a Book Forum

The War on the Bill of Rights and the Gathering Resistance
(Seven Stories Press, 2003)

featuring the author
Nat Hentoff
Columnist, Village Voice

with comments by
Paul Rosenzweig
Senior Research Fellow
Center for Legal and Judicial Studies
The Heritage Foundation

In his new book, Nat Hentoff decries the federal government's assault on the civil liberties of Americans in the aftermath of the 9-11 terrorist

attacks. Patriot I, Patriot II, Operation TIPs, and the Total Information Awareness System share one common objective: increased domestic

surveillance, with minimal judicial supervision. Hentoff also chronicles the rise of citizens' groups that have been protesting government

encroachment. Although there has been little coverage in the major media, "Bill of Rights Defense Committees" have now spread to nearly one hundred

cities and towns nationwide. Please join us for a discussion of how the federal government has been responding to the threat posed by al-Qaeda and

other terrorist groups.

Friday, September 26, 2003
12:00 noon
(Luncheon to follow)

Cato book forums and luncheons are free of charge.
To register, visit www.cato.org, e-mail Krystal Brand at kbrand@cato.org,
fax (202) 371-0841, or call (202) 789-5229 by 12:00 noon, Thursday, September 25.
News media inquiries only (no registrations), please call (202) 789-5200.
If you can't make it to the Cato Institute, watch this forum live online at www.cato.org.

To unsubscribe, send an email to: unsubscribe-21222@uptilt.com with the address: brett_m._kavanaugh@who.eop.gov in the subject line.

Subject: FW: 5 files - rtf
From: "Friedrich, Dabney"
Date: 8/4/05, 8:27 PM
To: "Kavanaugh, Brett M."

-----Original Message-----
From: Friedrich, Dabney
Sent: Thursday, August 04, 2005 6:51 PM
To: Fahrenkopf, Leslie; Dixton, Grant; Brosnahan, Jennifer R.; Powell, Benjamin A.; Rao, Neomi J.; Gerry, Brett C.; Hoyt, Robert F.; Lee, Sujean S.

Subject: FW: 5 files - rtf

Here are transcripts of JR's prior SJC hearings (2) and mark ups. Sujean will also add to the G: drive.

warning1.txt

```
            EOP SECURITY NOTIFICATION
This message contained an unauthorized attachment.
The EOP mail server deleted it as a safety precaution.
For more information contact the EOP Information Assurance Office.

An attachment type text/html named "tmp.htm" constituted a security hazard.
esgeop02.eop.gov : j6K26Mor017081
```

Attachments:

warning1.txt	322 bytes
0508SJUD.VR.DOC	210 KB
0213SJUX.VR.DOC	224 KB
0227SJUX.LLB.DOC	443 KB
0430SJUN.VR.DOC	365 KB
0129SJUN.VR.DOC	1.2 MB

Subject: FW: 5 files - rtf
From: "Kavanaugh, Brett M."
Date: 8/5/05, 11:00 AM
To: "Sherzer, David", "Slaughter, Kristen K."

Please print for me

-----Original Message-----
From: Friedrich, Dabney
Sent: Thursday, August 04, 2005 8:28 PM
To: Kavanaugh, Brett M.
Subject: FW: 5 files - rtf

-----Original Message-----
From: Friedrich, Dabney
Sent: Thursday, August 04, 2005 6:51 PM
To: Fahrenkopf, Leslie; Dixton, Grant; Brosnahan, Jennifer R.; Powell, Benjamin A.; Rao, Neomi J.; Gerry, Brett C.; Hoyt, Robert F.; Lee, Sujean S.

Subject: FW: 5 files - rtf

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0508SJUD.VR.DOC	210 KB
0213SJUX.VR.DOC	224 KB
0227SJUX.LLB.DOC	443 KB
0430SJUN.VR.DOC	365 KB
0129SJUN.VR.DOC	1.2 MB

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NOMINATION OF JOHN G. ROBERTS, JR., OF MARYLAND, TO BE CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA; DAVID G. CAMPBELL, OF ARIZONA, TO BE DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA; S. MAURICE HICKS, JR., OF LOUISIANA, TO BE DISTRICT JUDGE FOR THE WESTERN DISTRICT OF LOUISIANA; AND WILLIAM EMIL MOSCHELLA, OF VIRGINIA, TO BE ASSISTANT ATTORNEY GENERAL, OFFICE OF LEGISLATIVE AFFAIRS, U.S. DEPARTMENT OF JUSTICE

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WEDNESDAY, APRIL 30, 2003

United States Senate,

Committee on the Judiciary,

Washington, D.C.

The Committee met, pursuant to notice, at 10:09 a.m., in room SD-226, Dirksen Senate Office Building, Hon. Orrin G. Hatch, Chairman of the Committee, presiding.

Present: Senators Hatch, Leahy, Kennedy, Feingold, Schumer, and Durbin.

Chairman Hatch. Good morning. I am happy to welcome to the Committee four outstanding nominees. We will consider three judicial nominees: John Roberts for the District of Columbia Circuit; David Campbell for the District of Arizona; and Maury Hicks for the Western District of Louisiana. We will also hear from Will Moschella, who has been nominated to be Assistant Attorney

General for the Office of Legislative Affairs at the Department of Justice.

Now, I think if it is all right with you, Senator Leahy, why don't we defer our statements until our colleagues testify so we can save them time. I apologize for being just a little bit late, but I just couldn't get through with the meetings in my office this morning.

Senator Leahy. Especially with such a distinguished trio, of course, we should do that.

Chairman Hatch. Well, all right. I think if we can, then, why don't we turn to Senator Warner first, then Senator Breaux, and then the Honorable Jim McCrery. We welcome you here as well. We welcome all three of you and appreciate having you here.

Senator Warner?

PRESENTATION OF WILLIAM EMIL MOSCHELLA, NOMINEE TO BE ASSISTANT ATTORNEY GENERAL, OFFICE OF LEGISLATIVE AFFAIRS, U.S. DEPARTMENT OF JUSTICE, AND JOHN G. ROBERTS, JR., NOMINEE TO BE CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA, BY HON. JOHN WARNER, A U.S. SENATOR FROM THE STATE OF VIRGINIA

Senator Warner. Thank you, Mr. Chairman.

First, on behalf of my distinguished colleague, George Allen, I will ask that the record accept his statement. he is unavoidably detained this morning.

Chairman Hatch. Without objection.

Senator Warner. So I shall proceed on behalf of both of us in expressing my privilege to be here to introduce William Moschella, who has been nominated to serve as Assistant Attorney General for Legislative Affairs at the Justice Department. He is joined today by his lovely family, including his wife Amy, his daughter Emily, his son Matthew, and his parents. They are right in the front row. If you all would stand and be recognized? Now is your chance. There we are.

Chairman Hatch. Well, we welcome all of you. We welcome you all, and we are grateful to have you here.

Senator Warner. This candidate's distinguished background makes him highly qualified, I say to our

distinguished Chairman and distinguished ranking member, to be in this position.

Subsequent to earning his law degree from George Mason University Law School, he served as a legislative assistant in the office of my fellow delegation colleague, Congressman Frank Wolf. After leaving the Congressman's office, he held positions in the House Government Reform Committee, House Rules Committee, and several positions in the House Judiciary Committee. At present, he serves as chief legislative counsel for the House Judiciary Committee.

Mr. Chairman, he is obviously a very accomplished individual, and he served a large portion of his career in public service, well qualified I am certain; therefore, he will serve in this position with distinction, reflecting credit upon our President and this institution, the Congress which he has served these many years.

Now, Mr. Chairman, I should like to say a few words on behalf of Mr. Roberts. This is my second appearance on behalf of this distinguished individual, and I must say in my 25 years in the Senate, I do not believe I have ever done this before. But at the invitation of the Chair, I will appear over and over again, be it necessary, on behalf of this individual because I personally and, if I may say, professionally feel very strongly about this nominee.

He has been nominated for a position on the United States Circuit Court of Appeals for the District of Columbia. If I may say, following my graduation from the University of Virginia Law School in 1953, I return this weekend for my 50th reunion, where I am privileged to address my class. But following that, I was privileged to be a law clerk to Judge E. Barrett Prettyman on the United States Circuit Court of Appeals, the very circuit to which this nominee has been appointed by the President of the United States.

I have a strong knowledge of this circuit, having started my career there 48 years ago, and I feel that this candidate will measure up in every respect to the distinguished members of the circuit that have served in the past and who are serving today. And I urge in the strongest of terms that he be given fair consideration by this Committee and that he will be voted out favorably.

Mr. Chairman and Senator Leahy, we start with he graduated from Harvard College summa cum laude in 1976. Three years later, he graduated from Harvard Law School magna cum laude, where he served as managing editor of the Harvard Law Review. He served as law clerk to Judge Friendly on the United States Court of Appeals for the Second Circuit and worked as law clerk to the current Chief

Justice of the Supreme Court of the United States, the Honorable Judge Rehnquist.

Also, he has practiced law for over 20 years. He served as associate counsel to President Ronald Reagan, worked as the Principal Deputy Solicitor General of the United States, and has worked as a civil litigator in the firm of Hogan and Hartson, which, I must say, I also served in following my clerkship with Judge Prettyman.

So I do urge upon this Committee, Mr. Chairman, and all members, that the fair consideration that is the duty of the United States Senate under the Constitution under the advise and consent provisions be exercised on behalf of this distinguished nominee.

I thank you for the attention of the Committee, and I wish you well.

Chairman Hatch. Thank you so much, Senator Warner. We appreciate those very strong recommendations.

Senator Leahy. I was impressed, the 50th reunion, so you graduated at the age of 10?

Senator Warner. I beg your pardon?

Senator Leahy. You graduated at the age of 10? I was very impressed, your 50th reunion.

Senator Warner. No, I was not a child prodigy.

[Laughter.]

Senator Warner. Nor am I a senior prodigy. I am just one of your fellow Senators.

Senator Leahy. And a good friend and highly respected on both sides of the aisle, I might add.

Senator Warner. I thank you.

Chairman Hatch. We are grateful to have you here, Senator Warner. We appreciate that.

Senator Breaux? We will turn to you, Senator Breaux.

PRESENTATION OF S. MAURICE HICKS, JR., NOMINEE TO BE DISTRICT JUDGE FOR THE WESTERN DISTRICT OF LOUISIANA, BY HON. JOHN BREAUX, A U.S. SENATOR FROM THE STATE OF LOUISIANA

Senator Breaux. Thank you, Mr. Chairman and Senator Leahy and Senator Durbin. A tough act to follow our colleague from Virginia.

I am here on behalf of and to speak for Maury Hicks, our friend from Shreveport, Louisiana, who has been nominated to be the district judge for the Western District of Louisiana, which is the Shreveport area and the area south of that area. I am joined in spirit by my colleague Senator Mary Landrieu, who will have a statement of support on behalf of Maury Hicks as well.

He is the type of person that I think we can recommend without hesitation. I have always felt that at the district level I would personally rather see a person who is not an author or a scholar or a professor of law in some university but, rather, someone who comes from the day-to-day activities of being a trial lawyer in the area, in the district in which we are nominating them to become a Federal district judge. And that is what we have in Maury Hicks, a person who knows the people as well as knowing the law.

He graduated from Texas Christian university but he later redeemed himself from that mistake by graduating from the LSU Law School, and I think that will overcome any Texas problems that he might have experienced.

[Laughter.]

Senator Breaux. But he has been engaged in the practice of law, like I said, dealing with all types of problems--local problems that go before both the State courts and the Federal courts--since 1977. That is the type of people I think do good jobs on the Federal district bench. They know the law, but they also know the people, and I think he brings that talent.

You might have noted that on the list as one of his organizations is the Mystic Crew of Louisiana. I would just point out to Senator Durbin and to others that might wonder if that is some subterranean terrorist organization from the State of Louisiana, it indeed is not. It is the organization that runs the Mardi Gras celebrations here in Washington for the last 50 years. I happen to serve as captain of the crew, which means Maury Hicks is part of our organization that runs the Mardi Gras. It is a wonderful organization that does great things and has a lot of fun doing it.

He is joined here by his wife, Glynda, and their children, who I am sure he will be introducing later. He

is a good choice. I hope that you can vote him out as quickly as we possibly can.

Thank you, Mr. Chairman.

Chairman Hatch. Thank you, Senator Breaux. We appreciate your comments, and we really appreciate you taking time to come. I think it is an honor to the people that you have recommended. Thank you.

We will be happy to let you go. We know you have--

Senator Breaux. I want to hear if he is for him, too.

Chairman Hatch. Well, Congressman McCrery, we are honored to have you here. We look forward to taking your testimony.

PRESENTATION OF S. MAURICE HICKS, JR, NOMINEE TO BE DISTRICT JUDGE FOR THE WESTERN DISTRICT OF LOUISIANA, BY HON. JIM McCRERY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF LOUISIANA

Representative McCrery. Thank you, Mr. Chairman, Mr. Leahy, my old friend from the House Senator Durbin. It is nice to be here with you today.

I certainly want to second the comments of my friend and colleague from Louisiana, Senator Breaux. I have known Maury Hicks since Maury was a freshman in law school at LSU and have watched him practice law in my home town of Shreveport for a number of years. And I can tell you without reservation that Maury Hicks is a very well respected member of the bar in Shreveport. He has extensive experience at the bar in court. He is an accomplished litigator. He has with him today his family: his wife Glynda, his children Christy and Tyler. He also has with him some friends from the Shreveport area, and just to show you how well respected Maury is in the bar in Shreveport, he brought with him both defense attorneys and plaintiffs' attorneys, and they are all for him. So I think that will tell you how well respected Maury Hicks is.

Maury is smart. He is honest. He is a hard worker. He is everything I think we want in a Federal district

judge. He will be welcomed by the bar in the Western District because I know that Maury will be the kind of judge that lawyers in any part of our country would appreciate. He will work hard. He will get the job done. He will be fair.

And so I recommend without hesitation Maury Hicks as the next Federal judge from the Western District of Louisiana.

Chairman Hatch. Well, thank you, Congressman. We appreciate that. Mr. Hicks certainly has to be very pleased to have both of you come and testify for him. Thank you for being here. We appreciate it.

Representative McCrery. Thank you.

Senator Breaux. Thank you.

OPENING STATEMENT OF HON. ORRIN G. HATCH, A U.S. SENATOR FROM THE STATE OF UTAH

Chairman Hatch. We will make our statements now. Let me say a few words about our first nominee, John Roberts, who has quite a history as a judicial nominee. He was originally nominated for a seat on the D.C. Circuit more than 11 years ago by the first President Bush, but was never given a hearing and was never confirmed. He was renominated by the current President Bush on May 9, 2001, but he did not receive a hearing in the 107th Congress. He was then renominated for the third time this past January, and all told, he has been nominated by two different Presidents on three separate occasions for the Federal appellate bench over the last 12 years.

The Committee finally held a hearing on Mr. Roberts' nomination on January 29th of this year, and during that marathon hearing, which started at 9:30 a.m. and did not end until approximately 9:30 that night, he answered every question that he was asked in a precise and informative manner. He also answered myriad written questions submitted to him after the hearing--more than 70, to be precise. The Committee favorably reported his nomination for consideration by the full Senate with bipartisan support. All ten Republican Members of the Committee voted

for Mr. Roberts, along with four Democratic Members. However, pursuant to an agreement between the Republican and Democratic Senate leadership, I have asked Mr. Roberts to return for this hearing with the clear understanding that his nomination will move to the Senate floor for an up or down vote without undue delay. In fact, our agreement was within a week after we finally move you out of Committee. Now, this means that, pursuant to our agreement, the Committee will vote on Mr. Roberts' nomination a week from tomorrow, which is Thursday--you will be put on tomorrow's markup, but literally I am putting you over until next Thursday so our colleagues will have enough time to submit any written questions they desire. Any written questions should accordingly be submitted to Mr. Roberts and the other nominees no later than 5:00 p.m. on Friday, may 2nd.

Now, Mr. Roberts is widely considered to be one of the premier appellate litigators of his generation. His legal accomplishments are superb, including a remarkable 29 arguments before the United States Supreme Court. His record leaves no doubt that he is mainstream and fair. During the course of his career, he has argued both sides of the same issue in different cases, demonstrating that he is indeed a lawyer's lawyer. He has also represented parties from all sides of the political spectrum. His

clients have included large and small corporations, trade organizations, non-profit organizations, States, and individuals. So it is really an honor to have such a remarkable legal mind before this Committee.

Senator Warner did comment about some of Mr. Roberts' legal background. No question he had great academic credentials at Harvard College and later Harvard Law School. He served as law clerk for Second Circuit Judge Henry Friendly, one of the pillars of judicial matters throughout many years, and then for Supreme Court Justice William Rehnquist. His public service career included tenure as special assistant to Attorney General William French Smith, Associate White House Counsel, and Principal Deputy Solicitor General. Since 1993, he has been a partner with the prestigious D.C. law firm of Hogan and Hartson, where his practice has focused on Federal appellate litigation.

Now, there is no question that Mr. Roberts has the experience and intelligence to be an outstanding Federal appellate judge. And if the support for his nomination from his peers is any indication, he also has the requisite judicial temperament and unbiased fairness that are the hallmarks of truly great judges. One letter the Committee received is from 156 members of the D.C. Bar, all of whom urge Mr. Roberts' swift confirmation. The letter is signed

by such legal luminaries as Lloyd Cutler, who was White House Counsel to both President Carter and President Clinton; Boyden Gray, who was White House Counsel to the first President Bush; and Seth Waxman, who was President Clinton's Solicitor General.

The letter states: "Although, as individuals, we reflect a wide spectrum of political party affiliation and ideology, we are united in our belief that John Roberts will be an outstanding Federal court of appeals judge and should be confirmed by the United States Senate. He is one of the very best and most highly respected appellate lawyers in the Nation, with a deserved reputation as a brilliant writer and oral advocate. He is also a wonderful professional colleague both because of his enormous skills and because of his unquestioned integrity and fair-mindedness. In short, John Roberts represents the best of the bar and, we have no doubt, would be a superb Federal court of appeals judge."

Another letter is from 13 of Mr. Roberts' former colleagues at the Solicitor General's Office. This letter states: "Although we are of diverse political parties and persuasions, each of us is firmly convinced that Mr. Roberts would be a truly superb addition to the Federal court of appeals....Mr. Roberts was attentive and respectful of all views, and he represented the United

States zealously but fairly. He had the deepest respect for legal principles and legal precedent--instincts that will serve him well as a court of appeals judge."

Now, others echo these sentiments. Clinton Solicitor General Seth Waxman called Mr. Roberts an "exceptionally well-qualified appellate advocate." Another Clinton Solicitor General, Walter Dellinger, said, "In my view...there is no better appellate advocate than John Roberts." And one Yale law professor provided this personal glimpse: "...I asked Mr. Roberts whether he would be comfortable taking me--a Democratic young lawyer--under his wing. His response: `Not only would I be comfortable with it, I want you here because I want to learn what others who may at times see the world differently than I think.'"

In my view, Mr. Roberts is precisely the type of person we want to see confirmed as a Federal appellate judge, one who will be respectful of all sides of an argument and who will follow the law, not some personal agenda, in deciding which party should prevail. I personally have every confidence that John Roberts will make a sterling addition to the D.C. Circuit, and I look forward to hearing from him today.

I will reserve my remarks about the other nominees we are considering until they are called forward.

So, with that, we will turn to the ranking member, and then we will go to questions.

OPENING STATEMENT OF HON. PATRICK LEAHY, A U.S. SENATOR FROM THE STATE OF VERMONT

Senator Leahy. Thank you, Mr. Chairman, and I also welcome John Roberts here again, having been nominated to the U.S. Court of Appeals for the District of Columbia Circuit. And I am pleased that in this hearing he can have the undivided attention that a lifetime nomination to this most important circuit deserves, and I look forward to hearing his answers to our questions.

When last he was here, he was flanked by two other circuit court candidates--Sixth Circuit nominees Jeffrey Sutton and Deborah Cook. Mr. Roberts will recall that on that long day which stretched way into the evening, the overwhelming majority of questions were not to him at all. They were directed to Mr. Sutton, with others to Judge Cook, and he sort of got barely--we barely had time to even talk to him. So today we are going to have a chance to focus on him in our effort to determine what kind of a judge he would be if he was confirmed. We regret that he was thrown into that most unusual hearing earlier this year. I think it was unfair to him and actually to the other nominees, but especially to the American public because the District of Columbia Circuit is a most

important one. It is a circuit to which President Clinton nominated two outstanding individuals during his second term. They were not allowed to have votes by this Committee because the Republicans decided they should not be allowed to have votes. So given its special jurisdictional responsibilities, the District of Columbia Circuit is a most important circuit. I wish that the obstruction of President Clinton's nominees could have been remedied in trying to get some balance in the courts, but the President has decided--and this is his right to decide who he wants to go forward with, but he has decided to divide, not unite, on this matter.

I do appreciate what the Chairman has done in having this hearing. It shows how quickly we can move things when we work together, just as the Chairman and I have been working together since I held a hearing last year on asbestos reform and he has held one this year on asbestos reform. And for some of you who are interested, I think the work of Senator Hatch, myself, and a number of other interested members on both sides are coming to fruition. For the first time in years on this complex subject, I actually think, Orrin, we are actually coming close to a solution, and it shows what can happen when we work together.

Then we are going to hear from district court nominees Maurice Hicks of Louisiana and David Campbell of Arizona. Both attorneys have the support of their home State Senators.

Then we have before us the nomination of William Moschella to be Assistant Attorney General in the Office of Legislative Affairs at the Department of Justice. It is an important office, especially as the Justice Department has been really less than responsive to both the House and the Senate in requests for information. Since September 11th, many of us have been calling for and working for appropriate oversight. I submitted many oversight letters to the Justice Department containing requests for information that have not been responded to, as have a number of Republican Senators. The Justice Department is required to respond to Congress' requirements for reports about various programs that it funds, and it has not done that. For example, they are required to report regarding the current and future use of technologies being developed by the Total Information Awareness project at the Defense Department.

So I look forward to hearing how Mr. Moschella works on this. Many of us have worked with him when he was at the House Judiciary Committee, and I know that both Chairman Sensenbrenner and Chairman Hyde, two friends of

mine, two people I have a great deal of respect for, think the world of him. I know a lot of the members in the Committee, both Democrats and Republicans, respect his integrity, ability, and commitment. I might say that I share those feelings.

So I hope he won't forget his roots here. Obviously, his first responsibility has to--and I am going out on a limb here sort of predicting that he will get through okay. His first responsibility has to be to the administration that is appointing him, but I hope he realizes that there has been a lot of concern expressed by both Republicans and Democrats about the lack of responsiveness from the Department of Justice. And we are all counting on him to correct that. No difficult task there.

So, Mr. Chairman, I thank you for having these hearings. Again, I thank you for your work and cooperation on the asbestos thing, and I think that between the two of us we are finally going to--I think we have a real opportunity to bring this perplexing matter to conclusion, to be a benefit to the victims, be a benefit to the companies, a benefit to the American economy, and I think that the court systems will probably breathe a huge sigh of relief if we are able to do that.

Chairman Hatch. Well, thank you, Senator.

Mr. Roberts, if you will stand and be sworn? Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Roberts. I do.

Chairman Hatch. Thank you. Mr. Roberts, we welcome you again to the Committee. We are honored to have you back, and do you have any statement you would care to make?

Subject: Exec power
From: <Kristi.R.Macklin@usdoj.gov>
Date: 5/5/06, 9:38 AM
To: "Kavanaugh, Brett M.", "Gerry, Brett C."

Attached is a doc that runs through the Roberts hearings by topic. The second one is by senator, but if you know how to use excel which I don't) you can also arrange it by topic.

Attachments:

JGR Transcript QA by Topic.doc	1.2 MB
Roberts SCOTUS Hearing.xls	654 KB

Subject: FW: Exec power
From: "Kavanaugh, Brett M."
Date: 5/5/06, 9:39 AM
To: "Sherzer, David"

Huge documents but can you print for me -- thx

-----Original Message-----
From: Kristi.R.Macklin@usdoj.gov [mailto:Kristi.R.Macklin@usdoj.gov]
Sent: Friday, May 05, 2006 9:38 AM
To: Kavanaugh, Brett M.; Gerry, Brett C.
Subject: Exec power

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